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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,956	06/07/2001	Maria Azua Himmel	AUS9-2001-0457-US1	8312

7590 12/08/2003  
International Business Machines Corporation  
Intellectual Property Law Department,  
Internal Zip 4054  
11400 Burnet Road  
Austin, TX 78758

EXAMINER
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ROSWELL, MICHAEL

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 12/08/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/875,956

Applicant(s)

HIMMEL ET AL.

Examiner

Michael Roswell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).
2. Misnumbered claims 10-31 have been renumbered 12-33.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5, 12-16, and 23-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Cina, Jr. et al (U.S. Patent No. 5,510,808).
5. In regards to claims 1, 12, and 23, Cina, Jr. et al describe a method for indicating context for displayed information, where the information is displayed in a window with a scroll bar, and the scroll bar displays indicators representing respective objects. The indicator displays an attribute of the object (Abstract). Further, Cina, Jr. et al describe an apparatus for context indication comprising a processor, display device, and storage

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device (Column 4, Lines 5-13). It is inherent in the art that such methods are obtained through computer programs.

6. In regards to claims 2, 13, and 24 Cina, Jr. et al teach the use of an indicator where a displayed attribute of the indicator is a color or symbol (Abstract).

7. In regards to claims 3, 14, and 25, Cina, Jr. et al teach a method for context indication where an object type is text, table, audio, audio-vide or image type (Column 4, Lines 54-56).

8. In regards to claims 4, 15, and 26, Cina, Jr. et al disclose a method for context indication where an object type is a sentence, paragraph, section, division, chapter, page, hypertext link, row, column, cell, image, pause in sound, verse, stanza, refrain, interlude, movement, chorus, act, scene, commercial, quarter, half, highlight, play, time-out or bookmark type (Column 4, Lines 62-65).

9. In regards to claims 5, 16, and 27, Cina, Jr. et al disclose a method for context indication where the positions of the indicators represent relative positions of the objects within the information (Column 3, Lines 11-14).

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 6, 10-11, 17, 21-22, 28, and 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cina, Jr. et al and Bates et al (U.S. Patent No. 5,532,715).

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12. In regards to claims 6, 17, and 28, Cina, Jr. et al have been shown *supra* to teach a method for context indication where positions of indicators represent relative positions of the objects within the information.

13. Cina, Jr. et al do not teach the use of an indicator inside the slider of a scroll bar.

14. Bates et al do teach such a usage (Abstract).

15. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Cina, Jr. et al and Bates et al to obtain a method for context indication where the slider in a scroll bar contains indicators for the position of the window relative to an object.

16. The motivation for such a combination is given by Bates et al, who state, "it is a principal object of the invention to enhance the operation of a scroll bar" (Column 2, Lines 38-39).

17. In regards to claims 10, 21, and 32, Cina, Jr. et al have been shown *supra* to teach a method for context indication where positions of indicators represent relative positions of the objects within the information.

18. Cina, Jr. et al have not been shown to teach a method of positioning the slider in the scroll bar in response to a user clicking on an indicator in the scroll bar.

19. Bates et al do teach such a method (Column 2, Lines 8-11).

20. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Cina, Jr. et al and Bates et al to obtain

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a method for context indication where the slider is positioned in the scroll bar in response to a user clicking on an indicator in the scroll bar.

21. The motivation for such a combination is given by Bates et al, who state, "it is a principal object of the invention to enhance the operation of a scroll bar" (Column 2, Lines 38-39).

22. In regards to claims 11, 22, and 33, Cina, Jr. et al have been shown *supra* to teach a method for context indication where positions of indicators represent relative positions of the objects within the information.

23. Cina, Jr. et al do not teach the display of indicators in a window based on user preference selection.

24. Bates et al do teach such a method (Column 7, Lines 27-30).

25. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Cina, Jr. et al and Bates et al to obtain a method for context indication where indicators are displayed in a window based on user preference selection.

26. The motivation for such a combination is given by Bates et al, who state, "it is a principal object of the invention to enhance the operation of a scroll bar" (Column 2, Lines 38-39).

27. Claims 7, 18, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cina, Jr. et al, Bates et al, and Perry (U.S. Patent No. 5,553,225).

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28. In regards to claims 7, 18, and 29, Cina, Jr. et al have been shown *supra* to teach a method for context indication where positions of indicators represent relative positions of the objects within the information, and Bates et al have been shown to teach the use of an indicator inside the slider of a scroll bar.

29. Cina, Jr. et al and Bates et al do not teach the display of an enlarged view of the slider responsive to a user command.

30. Perry does teach such a method (Column 4, Lines 55-58).

31. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Cina, Jr. et al, Bates et al, and Perry to obtain a method for context indication where indicators are displayed inside of the slider of a scroll bar and an enlarged view of the slider is displayed responsive to a user command.

32. The motivation for such a combination being given by Perry, who states, "the present invention generally relates to computer user interfaces presented on a display screen and, more particularly, to a graphic user interface (GUI) which easily accomplishes both a scale change function with a panning or scrolling function" (Column 1, Lines 8-12).

33. Claims 8-9, 19-20, and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cina, Jr. et al and Hoek et al (U.S. Patent No. 6, 583, 798).

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34. In regards to claims 8, 19, and 30, Cina, Jr. et al have been shown *supra* to teach a method for context indication where positions of indicators represent relative positions of the objects within the information.

35. Cina, Jr. et al do not teach the display of an enlarged view of an object responsive to a pointer being placed in the scroll bar over an indicator for the object.

36. Hoek et al do teach such a display method, where the user interacts with the indicator by placing a pointer over the indicator (Column 12, Lines 14-17) and leads to the display of an enlarged view of the object (Column 11, Lines 48-52).

37. The motivation for such a combination being given by Hoek et al, who state, "the interface provided by the present invention is referred to herein as an 'on-object user interface' (OOUI). In general an OOUI comprises a menu of contextual controls (context menu) and one or more graphical indicators displayed in proximity to an object for indicating that the context menu is available for that object" (Column 3, Lines 16-21).

38. In regards to claims 9, 20, and 31, Cina, Jr. et al have been shown *supra* to teach a method for context indication where positions of indicators represent relative positions of the objects within the information. Hoek et al have been shown to display an enlarged view of an object responsive to a pointer being placed on an indicator for the object.

39. Cina, Jr. et al do not teach the inclusion of a control panel for controlling the object.



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40. Hoek et al do teach the inclusion of such a control panel (Column 5, Lines 14-20).

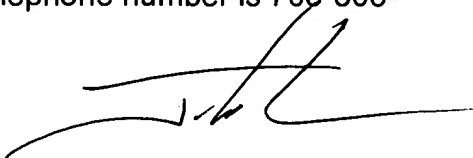
41. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Cina, Jr. et al and Hoek et al to obtain a method for context indication that displays an enlarged view of an object responsive to a pointer being placed on an indicator for the object, and includes a control panel for controlling the object.

42. The motivation for such a combination being given by Hoek et al, who state, "the interface provided by the present invention is referred to herein as an 'on-object user interface' (OOUI). In general an OOUI comprises a menu of contextual controls (context menu) and one or more graphical indicators displayed in proximity to an object for indicating that the context menu is available for that object" (Column 3, Lines 16-21).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is 703-305-5914. The examiner can normally be reached on 8:30 - 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on 703-308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-9731.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5484.



JOHN CABECA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

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